Human Government Subordinate to the Divine.

# SPEECH

OF

# SAMUEL J. MAY,

IN THE

# COUNTY CONVENTION,

AT

# SYRACUSE,

## OCTOBER 14, 1851.

SYRACUSE:
AGAN & SUMMERS, PRINTERS, DAILY STANDARD OFFICE.

1851.

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OF

# REV. SAMUEL J. MAY,

TO THE

# CONVENTION OF CITIZENS,

OF

# ONONDAGA COUNTY,

IN SYRACUSE, ON THE 14th OF OCTOBER, 1851,

CALLED "TO CONSIDER THE PRINCIPLES OF THE AMERICAN GOVERNMENT, AND THE EXTENT TO WHICH THEY ARE TRAMPLED UNDER FOOT BY THE FUGITIVE SLAVE LAW," OCCASIONED BY AN ATTEMPT TO ENSLAVE AN INHABITANT OF SYRACUSE.

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# SPEECH

OF

# REV. SAMUEL J. MAY.

FELLOW CITIZENS :—

We have not come here to array ourselves against the government of our country; but to denounce a most tyrannous act of our government. We have come to speak as freemen may, and freemen should, against high-handed oppression, execrable cruelty; and if we are not allowed to do this, what advantage is there in being freemen? We have not come to set our feet upon law, but to put the stamp of reprobation upon that, which is an outrage upon law. We have not come here to declare our independence of the State or of the Confederacy to which we belong; but to declare that neither our State nor our Confederacy is independent of God, independent of the obligation that is upon all men "to do justly, love mercy and walk humbly." We have not come to countenance our fellow-citizens of this city and county, in trampling upon the majesty of law; but to say what we think and feel of their having lifted the iron heel of a mean and cruel despotism from the neck of a poor fellow being. We have not come to insult our Chief Magistrate, and the Legislators of our land; but to admonish them that even they cannot with impunity set God at defiance, and may not compel us to insult him. God is King of kings and Governor of governors, Ruler of rulers. "God is love." "Love worketh no ill to his neighbor: therefore *love is the fulfilling of law.*"

The first and greatest of all commandments is, "Thou shalt love the Lord thy God with all thy heart, and with all thy mind, and with all thy strength. And the second is like unto it, Thou shalt love thy neighbor as thyself." On these two commandments hang, from them depend—that is, with them must be consistent all laws, which should have, or can have, any binding obligation upon the consciences of good men. Only such laws as may be deduced from these commandments have any divine authority."

Only by a general obedience to these shall ever be brought on that happy state of the world, so glowingly depicted by the Hebrew Prophets, and the hopeful of other nations, when there shall be no more oppression, nor violence, nor wrong.

To arouse, guide and strengthen men to keep these commandments more perfectly at all times, at any hazard of property, of reputation, and even of life, was the great end and aim of the ministry, of the life, and of the death of Jesus Christ.

Now if, as we believe, the authority of Jesus Christ was divine; if he was sanctified and sent into the world by God, to declare unto individuals and nations the principles of true righteousness; and by the power of his truth to make them free from sin and death, then it is obvious that there can be no power on earth that is authorized to contravene and set at naught his commandments. It used to be claimed and allowed throughout Christendom, as elsewhere, that kings reigned by a divine right, and that subjects were bound to obey them in all things, as the vicegerents of the Almighty. But that assumption has subsided in every part of the christian world; and in our country it is repudiated utterly. Here it was laid down by the founders of our Republic, as a fundamental principle, that all the powers of a just government are derived from, must have been delegated by, the governed. Now then, the governed cannot commit to their officials, any right, any authority, which they do not themselves possess. The governed possess no right, they have no authority to disobey the commandments of God, therefore the government can receive no authority to require any unrighteousness.

This proposition will commend itself to you as incontrovertibly true, when you consider the significant fact, that the two greatest commandments of Christ were laid upon man, not as a party to any civil compact, or as a constituent of any social arrangement, but upon man as *an individual*—a being sustaining such relations, on the one hand, to God who made him, and, on the other hand to those fellow beings whom the Creator has made like him, as do obviously, naturally give rise to the two classes of obligations, imposed in these two seminal, all comprehensive precepts. In each case Jesus speaks to the individual; and he appeals to the very nature of every human being, on which rests the obligations to feel and do what he here enjoins.

*Thou* shalt love the Lord thy God *with all thy heart*, i. e. the affections, which glow in thy bosom, welling up as they do from a fountain which God alone supplies, ought to rise in their regards, until they shall be fixed supremely upon Him, who is love, and the source of all that is lovely.

*Thou* shalt love the Lord thy God with all *thy mind*, i. e. that intelligence, which the Creator has bestowed upon thee, should seek after him who inspired it, the knowledge of whom alone is true wisdom.

*Thou* shalt love him with all *thy strength*, i. e. all thy activities should be guided by the highest wisdom, and animated by the purest, best affections, that may be developed within thee.

So too, as it respects thy fellow being, between whom and thyself there is a mutual dependence, who has faculties, feelings, hopes, fears, infirmities, wants, like thine own—it must be obvious that he is thy brother. Thou shouldst therefore love and treat him as such. The best of all rules, by which to govern your conduct towards a fellow man is, to do unto him just what you would that he should do unto you. Can there be a rational and moral being, who does not see at a glance, that a general obedience to these commands would promote the glory of God, and the good of mankind in the highest.

Let me here add, that the obligation to obey these commandments, does not rest merely upon the authority of him, in whose words we have received them ; so that they are not exempt who deny Christ. These principles of moral conduct were inculcated by Jesus Christ, because they were right. The obligation to conform to them arose then, and arises now, from that moral constitution, which God instituted, and of Jesus Christ was the best expounder—a constitution not written upon parchment, but upon the living tables of the human heart ; a constitution of course much more ancient, venerable, sacred than any, which men have devised for national purposes. We are not therefore to wait until the civil government, under which we live, shall see fit to re-enact these laws, before we acknowledge our obligation to obey them. Individuals generally have to precede nations in their conformity to God's will, often through much persecution and suffering. These are the benefactors of men, the lights of the world, the leaders of reform. Every one, when he comes to know himself, and his relations to other beings, will see

that these great commandments are founded in eternal righteousness. If there be any man, who does not discern the propriety of these commandments—if he does not recognize the obligations, which they would enforce—if these have not become self-evident to him, matters of consciousness to his moral sense,—it must be because his intellectual and moral nature is undeveloped. He needs education, culture. And the greatest concern of society should be, to see that its constituents are so enlightened and cultivated, that they shall be at least not ignorant of *the first principles of right and wrong*.

Those rulers are not such as God approves, and we should respect, who aim merely to exact from their subjects a blind obedience to their own authority; instead of encouraging and assisting them to discern the things that are right, and to do them because they are right. Much less are those rulers ordained of God, who prescribe what they know to be *not right*, but only, as they think profitable or expedient for the time being, or accordant with an iniquitous compact,—and then set about to compel their subjects to obey such laws, however they may violate their consciences, and outrage their feelings. To compel any man to do wrong, is to compel him to set his own moral nature at naught, which is to do himself the greatest harm. If the subject consents to this, he sins—nay—he sets God at defiance; and chooses to serve Baal, or Moloch, or Mammon instead.

Unless then, there be an authority higher than that of God, the Creator of man,—an authority, too, capable of making wrong right,—there can be, as Jesus said, no commandments greater than these, "Thou shalt love the Lord thy God with all thy heart;" and "Thou shalt love thy neighbor as thyself." Surely no commandments less than these,—most certainly none that contravene these, can have a just claim to our obedience.

Nevertheless it has been assumed by many, and since September, 1850, has been stoutly maintained by some from whom we should have expected better things, that a law of the land, although it be contrary to these two great commandments, although it require of us most unrighteous and cruel acts towards our neighbors, and although Congress may be very censurable for enacting it, ought to be obeyed, *because it is a law;* and because, if we do not obey it, the authority of our rulers will be stricken down, and our civil fabric fall to pieces. It seems to me that all this is predicated upon a very

false assumption of the true province of law; an erroneous view of the source of governmental powers; and of the extent of each individual's obligations to the kingdom or state, in which he may happen to live.

Mistakes on these points are unpardonable in the prominent men of our country, because the truth on these points was seen so clearly, and declared so emphatically by the venerated fathers of our civil institutions. Those world renowned men, who, seventy six years ago, dared to renounce their allegiance to the British crown, and to establish new governments for their several states, and for the confederacy, did so in virtue of "the *self-evident truths*, that all men are endowed by their Creator with certain unalienable rights, among which are, life, liberty and the pursuit of happiness. That *to secure these rights* governments are instituted among men, deriving their just powers from the consent of the governed." Men were not made that they may be the subjects of an oppressive political compact called a Republic, any more than they were made to be the creatures of a despot. Men were not made for governments, but governments were made for men.

I wish particularly to fix your attention upon the latter part of the above quotation from the Declaration of Independence. It declares the legitimate object, for which governments are instituted, to be to secure to all men their unalienable rights to life, liberty and the pursuit of happiness; and that they derive their just powers to do this, from the consent of the governed.

In the light of this declaration then, all may see, and with its most weighty sanction we may confidently affirm, that all attempts to make a law, which violates these unalienable rights of men, must be virtually abortive; and all attempts to enforce such a law may be denounced as oppression, cruelty. If an individual king should do this, we should brand him a tyrant; and the character of the act is not any better because done by a majority. It matters not how large the majority may be in its favor, if the enactment be designed and adapted to deprive one man of his unalienable rights, the blessings of life, liberty and the pursuit of happiness, it cannot become a legitimate law, a law that should lay any binding obligation upon the consciences of good men. They would be guilty in the sight of God, if they should assist to enforce it, nay, if they do not endeavor to prevent its being enforced. An op-

pressive, cruel law can derive no just power from the consent of the governed. Those whom the enactment may be intended to favor, can have no right to give their consent to it, if it be iniquitous; and those whom it would deprive of any of the blessings of life, liberty or the pursuit of happiness, of course cannot be expected to consent to it. Indeed if they did, their consent would be morally invalid; because men have no more power to alienate their own inalienable rights, than others have authority to take those rights away. A man could no more be justified in voluntarily surrendering his liberty at the command of a tyrant, or a tyrannical majority, than he would be justified in taking away his own life in obedience to a mandate from the same quarter. The rights to life, to liberty, to happiness are not mere kindly gifts of a generous Creator, which we may take, or wantonly toss ba k to him as we please. We may not, without sin, trample them under our own feet; neither are we at liberty to cast these most precious pearls before swine. No—they are sacred trusts, for which we are accountable; for in the use of them alone can we develope the nature, God has given us, and become what he made us to be.

"Tis liberty alone that gives the flower of fleeting life its lustre and perfume; and we are weeds without it." We cannot without great wickedness, give up our own liberty; and it is the greatest of all wrongs to take away the liberty of others.

The defenders of the new doctrine, 'that we are bound to obey a command of our government, however oppressive, tyrannical atrocious it may be, because the government is the supreme authority,' I say, the defenders of this new doctrine, new certainly in our country, and worthy only of the sycophants of an eastern despot—these defenders of tyranny, whether honorable statesmen or reverend divines, must have shut their eyes to the glorious light in which our nation was born; or they must have been utterly blinded by fears, which selfish speculators and designing politicians have contrived to awaken in the public mind.

Surely distinguished ministers of the Gospel should have known better than to teach, that any emergency could warrant the terrible unrighteousness, which the Fugitive Slave Bill proposes. The fact that so many of the Doctors of Divinity of different denominations have earnestly advocated obedience to this law, only shows how widely the corruption

of slavery has spread, how deeply it has descended. "The whole head of this nation is sick, and the whole heart faint. From the sole of the foot, even unto the head, there is no soundness in it." Some Reverend gentlemen have expressed their subserviency to the government in language that has disturbed the feelings of some people; but on the whole their prostitution of the Gospel to this Law has been widely commended. They have received unmeasured praise for the pains they have taken to make the commandments of God of none effect *because of certain traditions.* Many people have been startled by the declaration of Rev. Dr. Dewey, lately of New York, that he would go himself into slavery, or send his brother, his son or even his mother back into the house of bondage, rather than by disobeying the fugitive slave law, help to subvert the authority of government, and undermine the foundation of those powers which God ordained over us as a nation; many, I say, have been startled by this declaration touching his mother, who were ready to applaud his argument in favor of obeying this law. I have heard gentlemen stoutly contend that the Doctor never did say he would send back his mother, in the dread alternative, who themselves were ready to maintain that this Law ought to be obeyed. Now, for my part, I am not at all offended, not in the least shocked at the form of words, in which he is reported to have declared his allegiance to this horrid law. If he is fully persuaded in his own mind—if from his heart he believes that God did ordain, that a government should be instituted here, that would systematically go about to alienate from millions of the people their unalienable rights, setting at nought all the social and domestic relations they may form, and outraging the parental, conjugal, filial and fraternal affections, which their Creator implanted in their bosoms; and demanding of all "good citizens" to assist the agents of government to enforce any law, which might be deemed necessary to effect this most atrocious purpose; I say, if this distinguished divine really does believe that God has given his sanction to such a government, and requires him to violate the best feelings of his heart in obedience to the behests of such a government; if Dr. Dewey really does believe this, why then is he to be commended for the devotion, the spirit of self-sacrifice, in which he would go about to do the terrible duty imposed upon him; yes, he is to be commended just as much as the devoted of Juggernaut is to be commended, when he throws himself

before the wheels of the Idol's car, in the assurance that such self-abandonment will be acceptable to his God. I do not object to the rhetoric, in which Dr. Dewey has seen fit to clothe his conviction that "this law" ought to be obeyed. If a man be fully persuaded that any thing is his duty, I would have him endeavor to do it with his might, though it may require him to cut off a right hand, or pluck out a right eye, or submit himself to be hanged, or to yield up his wife, his daughter, or his mother torment and pollution. I would have him do his duty at any cost; and in my weakness I will pray that I may have strength given me to do what I believe to be my duty, with all the determination which the Doctor has expressed regarding his own.

O no! O no! it is not his rhetoric that astonishes, that shocks me! But that a man, who is so familiar with the history of the world, and knows so well that all social, as well as religious improvements, have been made under the inspiring influence of individuals, who have dared to *disobey* the unrighteous mandates of men in power;—that a man so well acquainted with the largest and purest minds that have lived, and with what they left as the best conclusions of human wisdom, regarding the true intention and just powers of civil government;—that a man, who has gone so thoroughly as Dr. D. has, into the study of human nature, done so much to raise his contemporaries from the imbecility of "implicit faith" and "implicit obedience," has contended so nobly for the independency of the individual soul, and has emancipated himself so far from spiritual thraldom;—that a man, who has studied so profoundly, and expounded so wisely the Sacred Scriptures, in which the choicest lessons of wisdom and virtue are given in the sketches they contain of the lives of noble men and women, who, in successive ages have withstood principalities and powers, rather than do what they believed to be contrary to the will of God;—that such a man should for a moment believe, that an enactment of any government on earth, enjoining upon one portion of its subjects, the utter violation of the unalienable rights of another portion, could have the santion of the impartial Father of the whole human family—that God could require, or be well pleased with, his or my obedience to such a law,—this, I confess does astonish me. That Dr. Dewey should believe, that our political fathers could make a compromise, involving this tremendous wickedness, and themselves be bound one hour by such an

agreement; much more, that they could transmit to their posterity of this day an obligation, more binding than "the law of God" to keep such a compact, this does confound me. And that he should intimate, that the glory of our Republic, or its real welfare, or its preservation even, can be promoted by our obedience to such a law,—this I confess fills me with astonishment. I cannot account for it. I know not how to trace this moral obscuration to any angel of wisdom or love, that has veiled his sight. Let him, and those other Doctors of Divinity who have come forward, in this hour of our country's trial, to confound judgment, to blunt the public sense of right, to sear the public conscience, and harden the hearts of the people,—let them I say, explain and justify themselves, as best they can to God and to a near posterity. I can think of no adequate apology for ministers of the Gospel, who have so put darkness for light. I must condemn utterly their doctrine, that we ought *sometimes, even now, to obey man rather than God;* or the doctrine, that *God does sometimes, even now, command or sanction unrighteousness.*

This is a doctrine, which would throw distrust over the moral government of the world, and lead men directly to Atheism. It is a doctrine, that would cast censure upon the noble army of martyrs, both political and religious, whose blood has been the seed of the highest improvements in church and state; it would condemn the prophets of the Old Testament, the Apostles of the New, and Jesus Christ himself. These all set at naught the commandments of Princes, Governors, Kings, because they required things, which were wrong, contrary to the will of God.

This doctrine of our High Priests, that the enactments of those in power over us, until repealed, have the sanction of Almighty God, *however much they may infringe upon the rights of man*, and ought to be obeyed,—this doctrine now broached by some of the distinguished statesmen of our country, and enforced by some of our most eminent divines, contradicts not only "the Declaration of Independence," but the fundamental principles of human legislation, and of civil government, as laid down by those who are acknowledged to be the masters of this subject.

Lord Coke declares that "the common law doth control Acts of Parliament, and *adjudge them void*, when they are against common right and reason."

Sir William Blackstone, laid down the same principle even

more broadly, and recurs to it repeatedly. "The law of nature" he says "being coeval with mankind, and dictated by God himself, is, of course, superior in obligation to any other. It is binding over all the globe, in all countries, and at all times; no human laws are of any validity, if contrary to this; and such of them as are valid, derive all their force, and all their authority, mediately or immediately, from this original." * * * "If any human law should allow or enjoin us to commit murder, we are bound to transgress that human law, or else we must offend both the natural and the divine law."

Again, this great legal authority says, "Those rights which God and nature have established, and are therefore called *natural rights*, such as are life and liberty, need not the aid of human law, to be more effectually invested in men than they are; neither do they receive any additional strength, when declared by the municipal laws to be inviolable. On the contrary, no human legislature has power to abridge or destroy them, unless the man shall himself commit some act that amounts to a forfeiture." More might be quoted from him to the same effect.

Lord Bacon says, "as the common law is more worthy than the statute law, so the law of nature is more worthy than them both."

Lord Brougham, also says, "There is a law *above all human enactments*, written by the finger of God, on the heart of man."

Chief Justice Parsons, one of the brightest lights of legal science in our country, used often to say "Gentlemen, what what is right, what is right, for that is law, or we must make it so."

The same principle also, is laid down distinctly, and often appealed to, in the writings of our own Chancellor Kent, than whom we have no higher authority on the theory, or the practical application of Law.

Indeed, it is a maxim with the writers on Law generally, "that nothing can sanction or legalize injustice; that no law subversive of natural right, has any binding obligation." Even the authors of the Code Napoleon, have said with no less elegance than truth, "that no legislator can escape that invisible power, that silent judgment of the people, which tends to correct the mistakes of arbitrary legislation, and to

defend the people from the law, and the lawgiver from himself."

Under a righteous government, and with such men on the Bench of Justice, as alone are worthy to be there, a conclusive argument, showing that the law which had been violated, was itself subversive of natural right, unjust, cruel, contrary to the moral constitution of man--I have not a doubt, that a conclusive argument to this effect, would draw from the Judge a charge to the jury, that they must find the prisoner not guilty, because the law itself was one too bad to be obeyed. What decision, ever given, has been more applauded than that of the Vermont Judge, when a man was brought before him and claimed as a slave. After hearing all the testimony the claimant could adduce, "nothing," said he, "can satisfy me, that this man is the property of another man, *nothing less than a bill of sale from the Almighty.*"

But we are told that our government is what it is—not perfect, though the best that exists upon the face of the earth—and that while we live under this government, enjoying its protection, we are bound to obey its laws. I reply, in the first place, as to protection, we are very much less indebted for that to our government, than we are to a correct moral and humane sentiment, prevalent throughout the community—and, that if our law makers, expounders and administrators are doing what tends to corrupt that public sentiment, to obscure the people's vision, and blunt their sense of right, they are doing the worst they can, to undermine our security, and expose our property, reputation and life, to unprincipled men.

But granting that we owe to our government, all that is alleged—it demands too much in return, when it requires that we shall set God's law at naught, and trample upon our common humanity.

Then, say some, leave the country and escape from your obligation, by going beyond the reach of the power which oppresses you. But, I reply, we shall not be likely to better our condition. Other forms of wrong and tyranny might meet us, wheresoever we may go, that we should be equally bound to withstand. Besides we owe our country, which, with all her faults, we dearly love, we owe our country something more and better than desertion, in this hour of her utmost trial. Never have the principles on which the civil institutions of our country were founded, been put to so severe a test, as at this day. The encoachments of the despotic

power of a slaveholding oligarchy upon that liberty which our fathers thought they had bequeathed us, have been made to such an extent, that the champions of that oligarchy have, on the floor of our national congress, pronounced the glorious declaration of '76, *that all men have an inalienable right to liberty*—a mere rhetorical flourish—and have dared to intimate that the poor and laboring people of the northern states, ought not to be allowed to exercise the prerogatives of freemen, any more than the Southern slaves. And by the machinery of partyism, the leaders of the northern wings of the two political hosts, have been brought to acquiesce in the supremacy of the slaveholding power in our country, and to unite in requiring of us all, implicit obedience to its demands, though they violate utterly, our highest sense of right, and outrage every feeling of humanity. Now then these unrighteous, tyrannical demands must be withstood, or all but the semblance of liberty, all, but liberty for certain favored classes, will be lost! And by whom shall these demands be withstood, unless by those, who most deeply feel how grievous they are? No—we who love true and impartial liberty, are the last men who ought to leave our country at this crisis. Lord help us to say—"Our country—though we die for thee—yet will we not forsake thee!"

But say the abettors of this fugitive slave law—the demands which this law makes on us, are all in accordance with the compromise of the constitution. Then, I reply, it was a compromise which ought never to have been made; and would not have been binding even upon those who made it, unless men have power to abrogate the laws of God. Ah! say our opponents that compromise was made by the great and glorious fathers of our revolution. What then, were those men incapable of error? Are we to bow even to them, as if they had a divine right to dictate to all coming ages, what is wisest and best to be done or suffered? They were the last men, who would have assumed that control over their posterity, which the sycophants of slaveholders are now eager to give them. And the history of the ratification of the constitution assures us. that our fathers by no means anticipated the terrible results, to which their compromises have led. They believed rather, and declared, that such an arrangement was made, as would in a few years undermine and extirpate the system of slavery.

Here however I may be told that a few years afterwards,

in 1793, our Congress enacted a law on purpose to carry out that part of the constitution, said to be intended for the recovery of fugitive slaves; and that the provisions of that bill were almost as obnoxious to our humanity, as those of the bill of 1850. What does all this prove? Taken in connection with the history of the last fifty seven years, it proves that such a law cannot, as it ought not to be enforced. The law of 1793, all know, had become a dead letter. The enactments of the several State Legislatures, and the decisions of the United States Court, conspired with public sentiment, to render it null and void; and fugitives from southern oppression dwelt in our borders, "where it liked them best," with none to molest or make them afraid.

Yes—the advocates of this Mason and Webster bill rejoin, "and because the statute of 1793, had become inoperative, it was necessary to make the law of 1850, with more stringent provisions; and *this law must be obeyed, or the union will certainlg be dissolved.*" We have heard this southern cry of 'treason,' 'anarchy,' 'dissolution,' so often that it has ceased to alarm us. So if this terrible evil is really at hand, it must be left to come upon the country; for we cannot do any more than we have done to pacify the alarmists, who, like the roguish boy in the fable, have so often deceived us. The harmony of tne states was never very seriously disturbed by the general non-observance of the former law; and the latter one is so much worse than the former, that we shall have a still better justification for trampling it under our feet.

To urge that our Republic cannot be maintained, but upon principles diametrically opposite to those, upon which it was so solemnly based, is as much as to proclaim to the world, that our Declaration of Independence is found to be untrue; and thus rejoice the hearts of tyrants throughout the world, and cast down forever the hopes of the oppressed everywhere For this I trust few of us, and not many even of our southern brethren are prepared. If, indeed the union of these states cannot be preserved, but by our consenting to do the great unrighteousness, which this "Bill of abominations" requires, then it is plain, that its end has come; on such a condition it ought not to be, and cannot be continued. "Let justice be done, though the heavens fall", is an old maxim, often quoted as embodying a great principle of morality. Surely then we may say, without being very transcendental in our uprightness—"*Let this great injustice not be done, though the union falls!*"

Yet again; though the upholders of this horrid Bill have the grace to allow, that we may do all in our power to procure the repeal of what they call the Law, yet they insist that until it is repealed we are bound, and shall be compelled to obey it. Let us look at this position. I will show it to you in the clear light, which is thrown upon it by the author of an admirable pamphlet, entitled "The Higher Law,"* which I wish might be read by every man and woman in the land. "If you are to keep on obeying this unjust law, while working against it all the while, is it not plain to see that your example will contradict your precept? Your life give your principles the lie. What is the use of preaching up justice, of talking against an unjust law, when by your every act of obedience to it, justice receives a fatal stab? Truly it is a queer way of getting an atrocious law repealed, to keep on obeying it. Their reasoning is this: Because an unjust law is enacted we must obey it as a law, and do all we can to repeal it, because it is unjust. Seeing that iniquity is established by statute, we must keep the statute till we can destroy it; uphold it, till it can be overthrown! Such beetle logic may safely be left to confute itself. Because the majority have resolved to sin, we must go with them, and keep on sinning to the end of the chapter, and then turn right about and sin no more, because we have at length succeeded in convincing the majority that we are all miserable sinners, especially we who knew better, and so have added the guilt of hypocrisy to the guilt of cruelty."

But as this writer says, a still more conclusive answer may be drawn from history. Experience teaches us that obedience to an unjust law never procured its repeal. The actual method by which communities have gotten rid of unrighteous laws, has been by protesting against them, disobeying them, and thus coming into conflict with the government at the bar of public opinion, the common moral sense of mankind, which is the great umpire on earth, to whom monarchs and majorities must ultimately bow. "First the people have thrown unjust laws aside; and then the legislature have abrogated them because they were thrown aside. First the law has perished because of its injustice, and then been buried by statute, because it was dead."

What would be the effect on the minds of Mr. Webster and others, who have used "all their personal and official influence" to procure the enactment, and enforce obedience to this Fugitive Slave Law—what, I ask, would be the effect on their minds, if it should be known, that we, the people of Central New York, who have protested so loudly against it, were nevertheless every where consenting to obey it, in all its provisions? Would they not point to the fact, as a signal evidence, of the eminent success of "their

* "The Higher Law tried by Reason and Authority," published in New York, by S. W. Benedict, 16, Spruce Street.

peace measures ?" If we will only become " the setters," and " terriers," and " blood hounds" of the Southern men hunters, they care not how much we bark and howl about the decree, that would make us such.

Once more, it is urged by our opposers that we are very presumptuous in setting up our individual opinions, in opposition to the enlightened wisdom of the greatest statesmen of our country, the majority of our legislators, and of their constituents. Now this is not stating the case fairly. The Fugitive Slave Law is not an offense to only here and there an individual. Millions see and feel it to be most flagrantly unjust and cruel. The minority in Congress, opposed to its enactment, was a very large one; and a great many of the majority, both in and out of Congress, execrate the law, at the same time that they insist upon obedience to it. Indeed it would be hard to find a person, who would undertake to show the justice, much less the mercifulness of the law.

The question before the country, then is, whether a law, which a vast majority allow to be a wicked one--which even the most unscrupulous adherents of Mr. Webster, at first, recoiled from with horror—a law which outrages all the natural, indefeasible rights of those against whom it is directed ; and does violence to the best feelings of those who are called upon to execute it ; the question is, whether such a law ought to be obeyed, merely because by legislative management a majority of the members of Congress was obtained for it ? If the will of the majority be thus absolute ; if there be no appeal from it; if there were no natural, eternal principles of right and wrong, upon which we may fall back in such an emergecy, I see not that our own liberties are any more secure, than they would be under some forms of monarchical government. The way in which Mr. Webster and his fellow laborers flout at conscience, and the moral sense of mankind, shows how little they have of the Democratic spirit ; how little fitted they are to help forward our great experiment of self-government.

Men differ much on minor questions of morals, and there is sometimes room for honest differences. But the glorious principles, announced in the Declaration of American Independance, were *self evident* to all men. So self evident were they, that the oppressors of mankind every whe e were dismayed at their annunciation ; and the oppressed were filled with joy unspeakable. In regard to murder and theft, the consciences of men will not be found to differ much throughout our country, or the civilized world. And could the people of these states be all brought to witness an attempt *to take from a man his liberty*, and reduce him to the condition of a brute, it cannot be doubted, that a thousand would cry shame upon the deed, for every one, who could attempt to justify it. I have, as yet, met with but a single individual, who, without qalification, affirmed that this law is a righteous one.

Tell me not, then, that we are setting up our individual consciences against the conscience of the nation. A vast majority abhor the law—though there may be a majority, that for certain reasons of state have concluded it is expedient to enforce the law, bad though it be. We have the heart of the nation with us—though the head may be against us.

These followers of the expedient rather than of the right, would fain make it appear that our opposition to this law tends to the subversion of all law. We know better, and so do they. The only claim which a law can have to our respect and obedience *is its justice*. If it be unjust only to our property or our persons, if it subject us only to pecuniaiy loss, or to inconvenience, we may, for the sake of peace, we ought to, submit to it. But when it requires us, as this law does, to inflict the greatest injury upon others, *we are not at liberty to obey*. We are bound by our obligation to God and man to set the law at naught; and then patiently take the consequences, which cannot be so bad to ourselves or to our country, as would be the consequences of our acquiescence in this tremendous wickedness. "Disobedience to unjust laws, so far from subverting, tends directly to establish *law*, by honoring the only true source of its claims. The only real upholder of law, is he, who strenuously opposes unjust laws. He who blindly and passively obeys all laws, right or wrong, merciful or cruel, is not the friend of law, but of arbitrary rule and tyranny."

The citizens of Syracuse and of Onondaga County did not, on the 1st of October, violate the *law ;* they set at naught an unrighteous, cruel edict ; they trampled upon tyranny. Who doubts, who does not know, that if poor Jerry had been arrested for some crime, or only misdemeanor—for the violation of property or the disturbance of the peace,—who does not know, if that had been his case, that all the people would have said Amen, so let it be ? They would not have interposed in his behalf, even if, in his struggles against the executive officers, he brought upon himself a harsher usage than his offense seemed to deserve.

But when the people saw a man dragged through the streets, chained and held down in a cart by four or six others who were upon him ; treated as if he were the worst of felons ; and learnt that it was only because he had assumed to be what God made him to be, a *man*, and not a *slave*—when this came to be known throughout the streets, there was a mighty throbbing of the public heart ; an all but unanimous up rising against the outrage. There was no concert of action except that to which a common humanity impelled the people. Indignation flashed from every eye. Abhorrence of the Fugitive Slave Bill poured in burning words from every tongue. The very stones cried out. Persons who had never been known to manifest the least interest in the cause of our enslaved country-

men, were loud in their cries of shame ! shame ! Quickened, roused, urged on by this almost universal denunciation of the outrage upon freedom, some men, more ardent, less patient or cautious than the rest, broke through the slight partition between the victim and his liberty ; struck off the chains that bound him ; and gave him " a God speed" to a country, where man hunters may not follow him. Then such a shout of gladness rose upon the air, as never made this welkin ring before. It was not my privilege to witness the release. I came as soon as my feet could bring me (from the Dillaye Block) to the scene and join the loud acclaim. If that were sinful, then there were few if any saints in all our town that night. If that were treason, then were there few patriots here.

And now there are men, (so called honorable men,) going about to inflict heavy pecuniary penalties, imprisonment, and, if they can compass it, death upon those individuals, who may be proved to have aided and abetted *the rescue of a man from slavery ;* to punish as felons those who mean to obey God, and respect the rights of their fellow beings ! Nay, but they say, it is for violating law, you are to be punished. Will they then—Americans as they are —will they maintain, that a government cannot enact a law so bad, that the people would be justified in tramping it under foot ? If they take this position, they condemn utterly *the fathers of the revolution.* But if they stand upon the American doctrine, that " resistance to tyrants is obedience to God"—then I fain would have them tell me if they can, what law *could be more tyrannical* than this, which, some of our citizens are accused of having violated ? For one, I cannot believe that the public sentiment of this nation will sustain our rulers, in their attempt to enforce obedience to this outrageous enactment.

But, fellow citizens, whatever may betide any of us, for the aid we have given, or the sympathy we have shown, to a hunted fellow man, let us meet it firmly, in the spirit of christian fortitude and long suffering. Let there be no violence offered or thought of, towards the misguided men, who are attempting to execute this great unrighteousness. They cannot dispose of us by any summary proceeding. They cannot deny us the " due process" of Law. They cannot withhold from us " a trial by jury"—nor if we should need it, can they forbid us " a writ of Habeas Corpus." We can venture to wait. There is no dire necessity upon us to resort to any violence in order to escape ourselves, or to rescue any of our number from a doom, which every man accounts far worse than death. *They cannot make us slaves.* Our legalized persecutors may take from us our money ; but they cannot rob us of our respect for the rights of man, and our consciousness of good intention. They may incarcerate our bodies, but they cannot imprison our souls. They

cannot confine our thoughts or the expression of them within a dungeon. They cannot build walls so high, that our prayers shall not overleap them, and go up to the God of the oppressed. They may (though it is too monstrous to be apprehended in this age and country,) they may perhaps inflict death upon us, but that would only set our spirits free a little sooner, and send them into the more immediate presence of Him, who has filled our hearts with *this Love of Liberty*.

# APPENDIX.

## A.

On the 15th of October, the day after the foregoing speech was delivered, eight of our fellow-citizens were arrested by the U. S. Marshall, to be taken before the U. S. District Judge, on the charge of having prevented the execution of this law. So soon as it was known, that they were thus set upon by the agents of our government, they, and a large number of their fellow-citizens assembled in the Congregational Church, to consider what should be done. There was but one opinion expressed, but one feeling manifested, and that was to meet the question calmly, at the tribunals of our country. Here was no emergency, that would warrant any uprising of the people—any interference in behalf of the sufferers. They would have all the benefits of the "due process of law," "trial by jury," &c., and there was no little reason to believe, that if any of the arrested should be proved to have aided in the rescue of "Jerry"—it would be hard to get a jury of their peers, who could find them guilty of a crime, worthy of fine and imprisonment. Resolutions to this effect were passed unanimously, and the meeting adjourned—the arrested to go in bonds, and many of the rest to go, as bound with them, to Auburn, to be examined by Judge Conklin.

Much deep feeling was manifested by the crowd around the Depot—but no offer of resistance to the law was so much as spoken of. The same populace, that could not bear to see a poor man seized, and reduced to slavery, consented that eight of our worthy fellow-citizens, against whom there had never before been a breath of reproach, should be arrainged for "the rescue." For the sentiment was universal, that for such a deed, if they were found to have committed it, they could not be made to appear like criminals in the eyes of a people, who love liberty, and revere justice. If our Government shall punish them for giving to a man his "unalienable rights"—the disgrace will attach to the government, and not to the sufferers.

No attempt was made, on the examination, to repel the charge by opposing testimony; and so all who had been arrested, were of course bound over to be tried for the alleged offense. To all this our citizens have quietly submitted; and yet there are those, who are clamoring it over the

country, that we of Syracuse, *are not a law-abiding people*. Some who dwell with us have joined in this cry. Shame upon them, and upon all who are circulating the scandal. The citizens of Syracuse will ever abide by law—they only trample upon tyrany.

## B.

It was pretty generally known throughout the country, that there is prevalent in this city and county, a strong anti-slavery sentiment, and, more especially, a deep abhorrence of the Fugitive Slave Law. As if on purpose to set this public feeling at defiance, and challenge us to make it manifest, Mr. Webster declared to an assembly of our citizens last June, that that execrable law should be enforced here; ay, in the midst of the next Anti-Slavery Convention, that should be held in this city. Such a threat was not adapted to allay the rising of an opposite determination. We are not all here quite so craven, and slavish as to bow at once submissively to such a brow-beating as he attempted to give us. His words rankled in the bosoms of a great many. This too was well known. If, therefore, the District Attorney and Deputy Marshall had intended to entrap the ardent opponents of this most odious law, and tempt them to the commission of acts, for which they might arrest them as disturbers of the peace, if not as traitors, they could not have selected a better time, nor have devised more certain provocatives to that end. They chose a day, when our city was full of the people of the country round about, who had come in to attend the County Agricultural Fair, and Liberty Party Convention—the first Anti-Slavery meeting held here, since Mr. Webster uttered his threat.

Then, they had not provided themselves with a sufficient constabulary force, to make it even appear difficult to take their victim out of their grasp. The scene exhibited in the streets, of Jerry contending with his legalized kidnappers, and screaming for help, had exasperated the feelings of the people to the utmost; and then he was kept for hours, separated from the eager throng only by two glazed doors, and within them a slight board partition. So little forethought had these men, who undertook, under the cover of this law, to perpetrate this outrage upon the feelings of our community, that they had not procured a proper warrant for the aid of "the military." Consequently the poor, doomed man was left in a very exposed place, guarded by only half-a dozen Marshals and constables, some of whom had too much humanity left in their hearts, not to know that they were doing a dastardly, and cruel deed; and to be in some measure enervated by self-condemnation.

Under such circumstances, what could be expected, but that Jerry would be rescued? We cannot be too grateful that it was done at the expense of only one broken limb, and at the loss of no life. If now our government, at the instigation of Southern demagogues, and Northern pseudo-patriots, goes about to make out of this transaction a great offense against Law and Government, they will only bring them both into greater contempt.—for *the people know*, that the claims of natural justice, and of suffering humanity are higher than of the law of Sept. 18th, 1850, or the authority of those who would attempt to enforce it.

C.

The occurrence of October 1st has abundantly verified the words of Daniel Webster, uttered in a speech on the State of the Union, in New York, March 15, 1837. "The question of Slavery has not only attracted attention as a question of politics, but it has struck a far deeper, deeper chord. It has arrested the religious feeling of the country. It has taken hold on the consciences of men * * * To coerce it into silence, to endeavor to restrain its free expression, to seek to compress and confine it, warm as it is, and more heated as such endeavors would inevitably render it,—should all this be attempted, I know nothing, even in the *Constitution, or the Union itself*, which would not be endangered by the explosion which might follow."